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12 Attorneys for Defendant,
13 Wal-Mart Stores, Inc.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 KIMBERLEY MAIN, an individual on
17 behalf of herself and all others similarly
18 situated,

19 Plaintiff,

20 v.

21 WAL-MART STORES, INC., a Delaware
22 Corporation; and DOES 1 through 50,
23 inclusive,

24 Defendants.

RECEIVED
APR 22 2011
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CASE NO. 11-cv-1919 EMC

STIPULATION TO EXTEND
TIME TO RESPOND TO
COMPLAINT PURSUANT TO
LOCAL RULE 6-1 ; ODRER

Complaint Filed: March 9, 2011
Old Response Date: April 27, 2011
New Response Date: June 30, 2011

1
2 WHEREAS the Complaint in the above-entitled action was filed on March
3 9, 2011 in the Superior Court of the State of California, County of San Francisco;
4 and

5 WHEREAS Defendant Wal-Mart Stores, Inc. ("Wal-Mart") removed the
6 action to this Court on April 20, 2011; and

7 WHEREAS Wal-Mart's response to the Complaint is currently due April 27,
8 2011; and

9 WHEREAS this action is related to several other putative statewide class
10 actions filed in other California state and federal courts (the "Related Actions"),¹
11 all of which allege violations of the Song-Beverly Credit Card Act of 1971, Cal.
12 Civ. Code § 1747.08, against Wal-Mart and all of which concern the alleged
13 requesting and recording of customers' zip codes; and

14 WHEREAS all of the Related Actions involve substantially the same facts
15 and questions of law; and

16 WHEREAS Wal-Mart's intent is to seek transfer and consolidation of as
17 many of the Related Actions as possible to one federal district court; and

18 WHEREAS counsel for both parties have conferred regarding the potential
19 transfer and consolidation of the Related Actions;

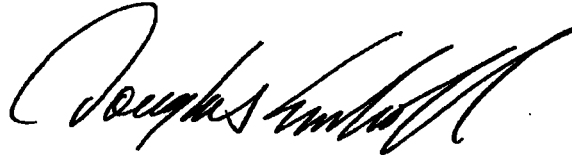
20 IT IS HEREBY STIPULATED AND AGREED, PURSUANT TO LOCAL
21 RULE 6-1, that Wal-Mart's deadline to answer, move or otherwise respond to the
22

23
24 ¹ In addition to this matter, the Related Actions include: *Bauer v. Wal-Mart Stores,*
25 *Inc.*, United States District Court for the Southern District of California, Case No.
26 11-CV-0770-IEG (CAB); *Grikavicius v. Wal-Mart Stores, Inc.*, United States
27 District Court for the Central District of California, Case No. CV 11-02314 DMG
28 (PJWx); *Landeros v. Wal-Mart Stores, Inc.*, United States District Court for the
Central District of California, Case No. CV 11-01635 DMG (PJWx); and *Nelson v.*
Wal-Mart Stores, Inc., California Superior Court, San Francisco County, Case No.
CGC-11-508950, which Wal-Mart intends to remove to federal court.

1 complaint or any amended complaint² in the above-captioned matter is extended
2 until June 30, 2011, in order to afford the parties time to seek transfer and
3 consolidation of Related Matters to one court.
4
5
6

7 Dated: April 22, 2011

VENABLE LLP



By: _____

Douglas C. Emhoff
Attorneys for Defendant
Wal-Mart Stores, Inc.

14 Dated: April 22, 2011

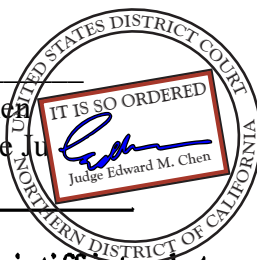
HARRISON PATTERSON & O'CONNOR LLP

By: _____


James R. Patterson
Attorneys for Plaintiff Kimberley Main

19 IT IS SO ORDERED:

21 _____
22 Edward M. Chen
23 U.S. Magistrate Judge



24 ² Counsel for Plaintiff intends to amend the complaint in the next several business
25 days to add another named plaintiff.
26
27
28

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2049 CENTURY PARK EAST, SUITE 2100
LOS ANGELES, CA 90087
310-229-9900

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is Venable LLP, 2049 Century Park East, Suite 2100, Los Angeles, California.

On April 22, 2011, I served the foregoing document(s) **STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT PURSUANT TO LOCAL RULE 6-1** on the interested parties in this action addressed as follows:

JAMES R. PATTERSON

Attorneys for Plaintiff and the Class

MATTHEW J. O'CONNOR

HARRISON PATTERSON & O'CONNOR LLP

402 WEST BROADWAY, 29TH FLOOR

SAN DIEGO, CA 92101

Tel: (619) 756-6990

Fax: (619) 756-6991

☒ By placing true copies thereof enclosed in a sealed envelope(s) addressed as stated above.

☐ **BY MAIL (FRCP 5(b)(2)(C)):** I am readily familiar with the firm's practice of collection and processing correspondence for mailing with the U.S. Postal Service. Under that practice such envelope(s) is deposited with the U.S. postal service on the same day this declaration was executed, with postage thereon fully prepaid at 2049 Century Park East, Suite 2100, Los Angeles, California, in the ordinary course of business.

☒ **BY OVERNIGHT DELIVERY (FRCP 5(b)(1)(F)):** I am readily familiar with the firm's practice of collection and processing items for delivery with Overnight Delivery. Under that practice such envelope(s) is deposited at a facility regularly maintained by Overnight Delivery or delivered to an authorized courier or driver authorized by Overnight Delivery to receive such envelope(s), on the same day this declaration was executed, with delivery fees fully provided for at 2049 Century Park East, Suite 2100, Los Angeles, California, in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on April 22, 2011, at Los Angeles, California.


Jan Contreras

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